

RESOLUTION NO. 98- 99

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, PROVIDING REGULATIONS FOR JET SKI OR MOTORIZED BOAT CONCESSIONAIRES PURSUANT TO ORDINANCE NO. 90-19

WHEREAS, the Board of County Commissioners of Nassau County, Florida, adopted Ordinance No. 90-19, which established beach concessions and regulations thereof; and

WHEREAS, the Board of County Commissioners has the authority, pursuant to Ordinance No. 90-19, to enact specific requirements for jet ski or motorized boat concessionaires by Resolution; and

WHEREAS, the Board of County Commissioners has been made aware of the need for regulations regarding jet skis and motorized boats; and

WHEREAS, the Board of County Commissioners finds that this Resolution is necessary for the protection of the public's health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County, Florida, this 10th day of June, 1998, as follows:

1. Those individuals or corporations that presently possess a beach concession permit that provides for the rental of jet skis or motorized boats shall be subject to and required to adhere to the following specific requirements:

a. Each jet ski or motorized boat concessionaire shall insure that there is at least a 200 foot buffer, as established by the county, from their particular jet skis or motorized boats and another jet ski or motorized boat concessionaire's jet skis or motorized boats. There shall

*Ord. 90-19
Rescinded
5/8
Ord 2003-4*

also be a 200-foot buffer, as established by the county, from the actual rental operation from the other jet skis or motorized boat concessionaire's rental operation.

- b. No signs shall be closer than 200 feet from the other concessionaire's signs.
- c. No jet ski or motorized boat concessionaire shall interfere with the operation of any other jet ski or motorized boat concessionaire nor engage in any act or conduct that unduly restricts or hinders the public's use of the beach.
- d. Each jet ski or motorized boat concessionaire shall insure that all local, state and federal statutory and regulatory requirements are adhered to as regards the jet skis or motorized boats and the rental of the jet skis or motorized boats. The requirements include, but are not limited to, the age of individuals renting jet skis or motorized boats, proper decals and safety equipment.
- e. Each jet ski or motorized boat concessionaire shall provide instructions, as to the proper use of the jet ski or motorized boat, to each individual renting and operating the jet ski or motorized boat. Said instructions shall include the requirements set forth herein.
- f. Each concessionaire shall be responsible for the operation of each rental jet ski or motorized boat and shall not allow the rental operator to operate the jet ski in any manner which endangers the jet ski or motorized boat renter or the operator of any other jet ski or motorized boat user or any swimmers or anyone in the Atlantic Ocean waters.
- g. Each jet ski or motorized boat concessionaire shall insure that all individuals operating the rental jet skis or

motorized boat operate the jet skis or motorized boats at idle speed until they are at least 500 feet, in a straight line, from the shore area. Further, each concessionaire shall insure that the operators do not operate the jet skis or motorized boats at greater than idle speed within 500 feet from the shore.

h. Each concessionaire shall place appropriate markers that delineate areas for ingress and egress from the shore areas. Said marker shall be approved by the Department of Public Safety and utilized each day of operation. A concessionaire shall not operate without appropriate markers. The concessionaire shall not allow the jet ski or motorized boat renter to access the shore area or travel to the designated operation area unless the operator follows the marked areas for ingress and egress.

i. The insurance policy or certificate of insurance shall provide comprehensive general liability coverage in the amount of one million dollars (\$1,000,000.00) and shall be executed by an insurance company or companies authorized to do business in the state of Florida and acceptable to the county. Vendors that do not currently carry an amount of one million dollars (\$1,000,000.00) of general liability coverage shall have fourteen (14) days from the adoption of this Resolution to obtain said coverage.

2. A violation of any requirement set forth herein shall subject the concession holder to a suspension for thirty (30) days of his/her permit or revocation of the permit. The concessionaire shall be notified of the violation by the county official designated by the County Coordinator. The notification shall be in writing and

set forth the violation and the action taken, i.e. suspension or termination. The concessionaire shall have fifteen (15) days from the receipt of the notice to request a hearing before the Board of County Commissioners. If no request is made, the indication of the county official is final. If a hearing is requested the concessionaire shall have the opportunity to be heard and present evidence.

3. This resolution shall become effective upon its being adopted.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



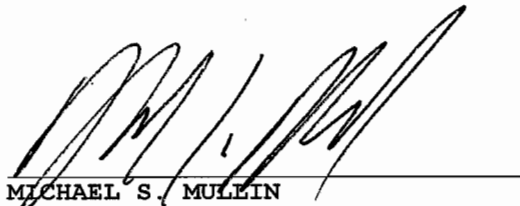
CHRIS KIRKLAND
Its: Chairman

ATTEST:



J.M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLEN

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